

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

**Chapter 11
Case No. 12-51502-659
(Jointly Administered)**

Re: ECF No. 1919

**FOURTH MONTHLY APPLICATION OF STAHL COWEN CROWLEY
ADDIS LLC, COUNSEL TO THE OFFICIAL SALARIED RETIREE
COMMITTEE OF PATRIOT COAL CORPORATION AND ITS DEBTOR
AFFILIATES FOR ALLOWANCE OF COMPENSATION AND
REIMBURSEMENT OF EXPENSES FOR THE PERIOD FROM
APRIL 1, 2013 THROUGH April 20, 2013.**

Name of Applicant:	Stahl Cowen Crowley Addis, LLC
Authorized to Provide Professional Services to:	The Official Salaried Retiree Committee of Patriot Coal
Date of Retention:	January 4, 2013
Period for which Compensation And Reimbursement is Sought:	April 1, 2013 through April 30, 2013
Amount of Compensation sought as Actual, Reasonable and Necessary:	\$81,586.80 representing 80% of \$101,983.50 in fees incurred this period
Amount of Expense Reimbursement Sought as Actual, Reasonable and Necessary:	\$753.04

This is a: Monthly Interim Final Application

**STAHL COWEN CROWLEY ADDIS LLC SUMMARY OF
PROFESSIONALS RENDERING SERVICES FROM
APRIL 1, 2013 THROUGH APRIL 30, 2013**

Name of Professional	Hourly Billing Rate	Total Billed Hours	Total Compensation
Jon D. Cohen	560	97.05	54,348.00
Gregg Norrod	500	16.10	8,050.00
Schreiber, Scott N	495	0.25	123.75
Shelly A. DeRousse	420	4.60	1,932.00
John K. Burnett, III	415	70.40	29,216
Jeremy P. Kreger	355	15.25	5,413.75
Mellissa J. Littiere	0	0	0
TOTALS		203.65	\$99,083.50

**STAHL COWEN CROWLEY ADDIS LLC SUMMARY OF
PARAPROFESSIONALS RENDERING SERVICES FROM APRIL 1, 2013
THROUGH APRIL 30, 2013**

Name of Professional	Position of Applicant	Hourly Billing Rate	Total Billed Hours	Total Compensation
Pamela J. Leichtling	Paralegal	100	29.00	2,900
Blended Rate for All Work Performed by All				438.35

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**STAHL COWEN CROWLEY ADDIS LLC SUMMARY OF
COMPENSATION BY PROJECT CATEGORY FROM APRIL 1, 2013
THROUGH APRIL 30, 2013**

PROJECT CATEGORY	TOTAL HOURS	TOTAL FEES
Case Administration	.20	137.00
Communications with Committee	18.20	10,192.00
Communications with Retirees	1.20	672.00
Research	3.00	1,680.00
Drafting/Strategy/Court	97.30	47,211.00
Discovery	9.35	5,236.00
Benefit Plan Investigation/Review/Analysis	85.85	27,001.25
Negotiations/Communications with Debtors	8.40	4,704.00
Retention/Fee Applications	2.40	1,344.00
Travel (billed at 50% rate)	10.00	2,800.00 (reflecting 50% discount of time on this matter)
TOTALS	235.9	\$100,977.25

[INTENTIONALLY LEFT BLANK]

**STAHL COWEN CROWLEY ADDIS LLC SUMMARY OF EXPENSES BY
CATEGORY FROM APRIL 1, 2013 THROUGH APRIL 30, 2013**

TYPE OF EXPENSE	AMOUNT
TRAVEL/Lodging (Air)	424.63 ¹
TAXI/TRAINS	173.00
MEALS	54.42
MEETING FACILITIES/Website	8.99
RESEARCH/VHS CONVERSION ²	92
POSTAGE	0
MILEAGE	0
PARKING	00
Photocopying (outsource)	0
TOTAL	753.04

[INTENTIONALLY LEFT BLANK]

¹ This figure includes a discounted group purchase of airfare (coach class) with one night lodging included.

² See Video Instant Conversion fee reflected in Matter #1 (Case Admin) for \$25.00

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**Chapter 11
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(Jointly Administered)**

Re: ECF No. 1919

**FOURTH MONTHLY APPLICATION OF STAHL COWEN CROWLEY ADDIS
LLC, COUNSEL TO THE OFFICIAL SALARIED RETIREE COMMITTEE OF
PATRIOT COAL CORPORATION FOR ALLOWANCE OF COMPENSATION
AND REIMBURSEMENT OF EXPENSES FOR THE PERIOD
APRIL 1, 2013 THROUGH APRIL 30, 2013**

The official Salaried Retiree Committee (the “Retiree Committee”) of Debtors, Patriot Coal, and certain affiliates (collectively, the “Debtors”)³ hereby hereby submits

³ Affinity Mining Company; Apogee Coal Company, LLC; Appalachia Mine Services, LLC; Beaver Dam Coal Company, LLC; Big Eagle, LLC; Big Eagle Rail, LLC; Black Stallion Coal Company, LLC; Black Walnut Coal Company; Bluegrass Mine Services, LLC; Brook Trout Coal, LLC; Catenary Coal Company, LLC; Central States Coal Reserves of Kentucky, LLC; Charles Coal Company, LLC; Cleaton Coal Company; Coal Clean LLC; Coal Properties, LLC; Coal Reserve Holding Limited Liability Company No. 2; Colony Bay Coal Company; Cook Mountain Coal Company, LLC; Corydon Resources LLC; Coventry Mining Services, LLC; Coyote Coal Company LLC; Cub Branch Coal Company LLC; Dakota LLC; Day LLC; Dixon Mining Company, LLC; Dodge Hill Holding JV, LLC; Dodge Hill Mining Company, LLC; Dodge Hill of Kentucky, LLC; EACC Camps, Inc.; Eastern Associated Coal, LLC; Eastern Coal Company, LLC; Eastern Royalty, LLC; Emerald Processing, L.L.C.; Gateway Eagle Coal Company, LLC; Grand Eagle Mining, LLC; Heritage Coal Company LLC; Highland Mining Company, LLC; Hillside Mining Company; Hobet Mining, LLC; Indian Hill Company LLC; Infinity Coal Sales, LLC; Interior Holdings, LLC; IO Coal LLC; Jarrell’s Branch Coal Company; Jupiter Holdings LLC; Kanawha Eagle Coal, LLC; Kanawha River Ventures I, LLC; Kanawha River Ventures II, LLC; Kanawha River Ventures III, LLC; KE Ventures, LLC; Little Creek LLC; Logan Fork Coal Company; Magnum Coal Company LLC; Magnum Coal Sales LLC; Martinka Coal Company, LLC; Midland Trail Energy LLC; Midwest Coal Resources II, LLC; Mountain View Coal Company, LLC; New Trout Coal Holdings II, LLC; Newtown Energy, Inc.; North Page Coal Corp.; Ohio

this Fourth Monthly Application for Allowance of Compensation and Reimbursement of Expenses for the Period from April 1, 2013 through April 30, 2013 (the "Application"), pursuant to sections 330 and 331 of title 11 of the United States Bankruptcy Code as amended (the "Bankruptcy Code"); Rule 2016 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and the Order to Establish Procedures for Interim Monthly Compensation and Reimbursement of Professionals dated August 2, 2012 ("Interim Compensation Order").

1. By this Application, SCCA seeks interim allowance and payment of fees for legal services rendered in the amount of \$81,586.80 (representing 80% of total fees in the amount of \$101,983.50 earned during the relevant period) for the period from April 1, 2013 through April 30, 2013 (the "Compensation Period"). SCCA also seeks interim payment of the expenses it incurred in association with its representation of the Retiree Committee in the amount of \$753.04. SCCA reserves the right to submit expenses incurred during the Compensation Period that were not processed prior to the filing of this Application and may be included in further monthly or interim fee applications. In support thereof, SCCA respectfully represents the following:

County Coal Company, LLC; Panther LLC; Patriot Beaver Dam Holdings, LLC; Patriot Coal Company, L.P.; Patriot Coal Corporation; Patriot Coal Sales LLC; Patriot Coal Services LLC; Patriot Leasing Company LLC; Patriot Midwest Holdings, LLC; Patriot Reserve Holdings, LLC; Patriot Trading LLC; PCX Enterprises, Inc.; Pine Ridge Coal Company, LLC; Pond Creek Land Resources, LLC; Pond Fork Processing LLC; Remington Holdings LLC; Remington II LLC; Remington LLC; Rivers Edge Mining, Inc.; Robin Land Company, LLC; Sentry Mining, LLC; Snowberry Land Company; Speed Mining LLC; Sterling Smokeless Coal Company, LLC; TC Sales Company, LLC; The Presidents Energy Company LLC; Thunderhill Coal LLC; Trout Coal Holdings, LLC; Union County Coal Co., LLC; Viper LLC; Weatherby Processing LLC; Wildcat Energy LLC; Wildcat, LLC; Will Scarlet Properties LLC; Winchester LLC; Winifrede Dock Limited Liability Company; Yankeetown Dock, LLC.

Jurisdiction

2. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

Background

3. On July 9, 2012, Patriot Coal and substantially all of its wholly owned subsidiaries filed voluntary petitions for reorganization under Chapter 11 of the United States Bankruptcy Code in the Bankruptcy Court for the Southern District of New York. On November 27, 2012, an Order was entered transferring the Chapter 11 proceedings to this Court. .

4. On or about December 17, 2012, Debtors sent a mass mailing to approximately nine hundred salaried (i.e. non-union) retiree households informing said retirees that Debtors would be seeking to unilaterally terminate their retiree benefits.

5. On January 8, 2013, SCCA caused a Motion To Appoint Official Retiree Committee Pursuant to 11 U.S.C. §1114(d) to be filed on behalf of salaried retiree Harold R. Race and all other similarly situated Non-Union retirees. (Motion to Appoint Retiree Committee)⁴ [Docket No. 1919]. Shortly after filing the a motion to appoint a retiree committee, Debtors counsel began negotiations with SCCA with respect to formation of a retiree committee. By agreement, an Agreed Order requesting formation of an official Retiree Committee was presented to this Court on February 26, 2013 [Docket No. 2818]. This Court entered the Agreed Order on February 27, 2013. [Docket No. 3004]. By and through the office of the U.S. Trustee, seven (7) retirees were selected to serve on the official Retiree Committee. [Docket No. 3007].

6. SCCA was retained by the Retiree Committee, *nunc pro tunc* to January 4, 2013. SCCA submitted an Application of the Official Salaried Retiree Committee of

⁴ Stahl Cowen was initially retained on January 4, 2013.

Patriot Coal Corporation and its Debtor Affiliates for Order Authorizing and Approving the Retention of Stahl Cowen Crowley Addis LLC as Counsel [Docket Nos. 3359 and 3364] on March 22, 2013. Said Application was approved on April 22, 2013. [Docket No. 3782

7. SCCA has received no payment nor promises for payment from any source for services rendered during the Compensation Period. No agreement or understanding exists between SCCA and any other person for the sharing of any compensation to be received for services rendered by SCCA in these cases.

8. All services for which compensation is requested by SCCA pursuant to this Application were performed for or on behalf of the Retiree Committee in this case. This is SCCA's second monthly application.

Services Rendered

9. SCCA billed a total of \$101,983.50 in fees in connection with its efforts on behalf of the Retiree Committee during the Compensation Period. SCCA incurred expenses on behalf and by the Retiree Committee in the amount of \$753.04. By this Application, SCCA seeks: payment of compensation in the amount of \$81,586.80 representing 80% of the compensation earned by SCCA during the Compensation Period, and \$753.04 representing 100% of the expenses incurred by SCCA. SCCA's blended rate for services was \$438.35.

10. SCCA has maintained detailed time records of the time spend in the rendition of professional services to the Retiree Committee during the Compensation Period. Attached hereto as EXHIBIT A and incorporated by reference herein is a true and correct copy of the relevant monthly billing statement prepared for the services

rendered in these cases by SCCA (the "Billing Statement"). The Billing Statement is the same form regularly used by SCCA to bill its clients for services rendered and includes the date that the services were rendered, a detailed contemporaneous narrative description of the services provided, the amount of time spent for each service and the designation of the professional who performed the service. The Billing Statement is further broken down into discrete billing categories, which SCCA does in all matters when representing Retiree Committees in a bankruptcy proceeding. These billing categories are reflected in separate invoices with the corresponding category numbers:

1	Case Administration
2	Communications with Committee
3	Communications with Retirees
4	Research
5	Drafting/Strategy/Court
6	Discovery
7	Benefit Plan Investigation/Review/Analysis
8	Negotiations/Communications with Debtors
9	Retention/Fee Applications
10	Expenses/Travel
11	VEBA/HRA Creation

11. Although every effort was made to include all fees and expenses from the Compensation Period in this Application, some fees and expenses from the Compensation Period may not be included in this Application due to delays in processing

time and receipt of invoices for expenses or for preparation of this Application subsequent to the Compensation Period. Accordingly, SCCA reserves the right to make further applications to the Bankruptcy Court for allowance of fees and expenses not included herein but that relate to the Compensation Period.

Prior Payments for Services

12. SCCA has contemporaneously filed for other monthly requests for compensation in this case, each of which were granted without objection.

Notice

13. Consistent with the procedures described in the Interim Compensation Order, SCCA will serve this Fee Statement, by hand or overnight delivery, on (i) the Debtors, Patriot Coal Corporation, 12312 Olive Boulevard, Suite 400, St. Louis, Missouri, 63141, Attn: Jacquelyn A. Jones, Esq., (ii) attorneys for the Debtors, Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, New York 10017, Attn: Marshall S. Huebner, Esq. and Brian M. Resnick, Esq., (iii) the Office of the United States Trustee for the Eastern District of Missouri, Thomas F. Eagleton U.S. Courthouse, 111 S. 10th Street, Room 6353, St. Louis, Missouri 63102, Attn: Leonora S. Long, Esq. (iv) attorneys for the administrative agent for the Debtors' postpetition lenders, (a) Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153, Attn: Marcia Goldstein, Esq. and Joseph Smolinsky, Esq., and (b) Wilkie Farr & Gallagher LLP, 787 Seventh Avenue, New York, New York 10019, Attn: Margot B. Schonholtz, Esq. and Ana Alfonso, Esq., and (v) counsel to the official committee of unsecured creditors, Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, New York 10036, Attn: Adam C. Rogoff, Esq. and Gregory G. Plotko, Esq.

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ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR
THE PERIOD FROM APRIL 1, 2013 THROUGH April 20, 2013**

EXHIBIT A

STAHL COWEN CROWLEY ADDIS LLC
ATTORNEYS

12th Floor
55 West Monroe Street
Chicago, IL 60603

312.641.0060
312.641.6959 Fax

Patriot Coal Retiree Committee

PAGE: 1
05/01/2013
CLIENT NO: 34165-001M
STATEMENT NO: 701252

Case Administration

FEES

			HOURS	
04/24/2013	JDC	Meeting with P. Leichtling regarding project to return plan materials to retirees who forwarded them to Committee (.20)	0.20	<u>112.00</u>
			0.20	112.00

RECAPITULATION

<u>ATTORNEY</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JON D. COHEN	0.20	\$560.00	\$112.00

COSTS

04/23/2013	Video Instant- VHS Video Conversion	<u>25.00</u>
		25.00
TOTAL FEES & COSTS		137.00
PREVIOUS UNPAID BALANCE		\$8,313.00

PAYMENTS

04/30/2013	Payment on account	-6,594.86
PLEASE REMIT		<u>\$1,855.14</u>

PAST DUE AMOUNTS

<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
1,718.14	0.00	0.00	0.00	0.00	0.00

PLEASE NOTE CLIENT AND STATEMENT NUMBER WITH PAYMENT.

STAHL COWEN CROWLEY ADDIS LLC
ATTORNEYS12th Floor
55 West Monroe Street
Chicago, IL 60603312.641.0060
312.641.6959 Fax

Patriot Coal Retiree Committee

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05/01/2013
CLIENT NO: 34165-002M
STATEMENT NO: 701253

Communication Committee

FEES

			HOURS	
04/01/2013	JDC	Tel. conf. with Retiree Committee regarding case status, benefits analysis, communications with Peabody, communications with Patriot (1.50).	1.00	560.00
04/02/2013	JDC	Email to Retiree Committee regarding 363 filing (.10); followed up initial analysis of filing (.50); additional email to Retiree Committee with additional analysis (.30).	0.90	504.00
04/04/2013	JDC	Provided analysis to Retiree Committee of 363 Filing (.80); followed up with update after additional information provided by Debtors (.30); email to L. Wills (.10)	1.20	672.00
04/09/2013	JDC	Tel. conf with Patriot Retiree Committee regarding case strategy, applicable legal standards, status on research and drafting and related historical matters (2.1); reviewed email from E. Wills (.10)	1.20	672.00
04/15/2013	JDC	Tel. conf. with Retiree Committee to discuss pleadings and settlement (1.0); followed up with email to Retiree Committee regarding updated benefit numbers and settlement issues (.50); ; tel. conf. with L. Wills regarding life insurance issues (.30)	1.80	1,008.00
04/16/2013	JDC	Tel. conf. call with Retiree Committee regarding settlement (1.10); email to L. Wills regarding COBRA (.10)	1.20	672.00
04/18/2013	JDC	Tel. conf. with L. Wills (.20), Tel. conf. with J. Gillenwater (.20); tel. conf. with H. Green (.10), tel. conf. with J. Knabb (.30), Tel. conf. with M. Phipps (.20); email to Retiree Committee regarding update on settlement (.10); tel. conf. with Retiree Committee to discuss final offer from Debtors (1.90);	3.00	1,680.00
04/19/2013	JDC	Multiple communications with each Retiree Committee member regarding updates to settlement negotiations (3.70)	3.70	2,072.00
04/20/2013	JDC	Email to retiree committee regarding update on negotiations with Debtors (.30); engaged in individual communications with each Retiree Committee member regarding same negotiations (1.90);	2.20	1,232.00
04/22/2013	JDC	Emails with E. Wills regarding COBRA questions.	0.20	112.00

Patriot Coal Retiree Committee

Communication Committee

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05/01/2013
CLIENT NO: 34165-002M
STATEMENT NO: 701253

			HOURS	
04/23/2013	JDC	Drafted update for Retiree Website to provide information about resolution with Debtors	1.20	672.00
04/29/2013	JDC	Tel. conf. with E. Wills (.10)	0.10	56.00
04/30/2013	JDC	Email with E. Wills regarding COBRA question (.10); continued draft of options for Retiree Committee with respect to application of settlement funds (.40)	0.50	280.00
			18.20	10,192.00

<u>ATTORNEY</u>	<u>RECAPITULATION</u>			
JON D. COHEN	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>	
	18.20	\$560.00	\$10,192.00	

TOTAL FEES & COSTS 10,192.00

PREVIOUS UNPAID BALANCE \$13,854.00

PAYMENTS

04/30/2013 Payment on account -10,990.64

PLEASE REMIT \$13,055.36

<u>PAST DUE AMOUNTS</u>					
<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
2,863.36	0.00	0.00	0.00	0.00	0.00

PLEASE NOTE CLIENT AND STATEMENT NUMBER WITH PAYMENT.

STAHL COWEN CROWLEY ADDIS LLC
ATTORNEYS

12th Floor
55 West Monroe Street
Chicago, IL 60603

312.641.0060
312.641.6959 Fax

Patriot Coal Retiree Committee

PAGE: 1
05/01/2013
CLIENT NO: 34165-003M
STATEMENT NO: 701254

Communications/Retirees

FEEES

			HOURS	
04/01/2013	JDC	Responded to email from retiree inquiring about MPR account of Peabody (.10).	0.10	56.00
04/04/2013	JDC	Email to G. Tippner regarding benefits at issue (.10).	0.10	56.00
04/08/2013	JDC	Tel. conf. with retiree having questions about Proof of Claims (.20); email to retiree regarding offer to provide materials (.10).	0.30	168.00
04/17/2013	JDC	Email response to affected retiree re: possible discovery materials.	0.10	56.00
04/24/2013	JDC	Revised draft letter to retirees (.20);	0.20	112.00
04/30/2013	JDC	Reviewed additional correspondence received from Retirees (.40)	0.40	224.00
			<u>1.20</u>	<u>672.00</u>

RECAPITULATION

<u>ATTORNEY</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JON D. COHEN	1.20	\$560.00	\$672.00

TOTAL FEES & COSTS 672.00

PREVIOUS UNPAID BALANCE \$14,260.50

PAYMENTS

04/30/2013 Payment on account -11,313.12

PLEASE REMIT \$3,619.38

PAST DUE AMOUNTS

<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
2,947.38	0.00	0.00	0.00	0.00	0.00

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Patriot Coal Retiree Committee

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05/01/2013
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STATEMENT NO: 701255

Research

FEEES

			HOURS	
04/02/2013	JDC	Researched citations in Debtors' Motion.	1.50	840.00
04/12/2013	JDC	Research regarding limits on brief sizes and review of Debtors motion to exceed limit.	0.20	112.00
04/15/2013	JDC	Completed research on Response to Motion to Terminate Benefits	0.50	280.00
04/18/2013	JDC	reviewed stipulated pretrial order re: 1114 (0.10)	0.10	56.00
04/19/2013	JDC	Reviewed draft Notice of Matters Scheduled for hearing on 4/23/13	0.10	56.00
04/20/2013	JDC	Tel. conf. with S. Schreiber regarding necessary wording to bind reorganized debtors (.40); modification of proposed draft order (.20)	0.60	336.00
			<u>3.00</u>	<u>1,680.00</u>

RECAPITULATION

<u>ATTORNEY</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JON D. COHEN	3.00	\$560.00	\$1,680.00

TOTAL FEES & COSTS	1,680.00
PREVIOUS UNPAID BALANCE	\$18,000.75

PAYMENTS

04/30/2013	Payment on account	-240.00
04/30/2013	Payment on account	-14,089.94
	TOTAL PAYMENTS	<u>-14,329.94</u>
	PLEASE REMIT	<u>\$5,350.81</u>

PAST DUE AMOUNTS

<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
3,670.81	0.00	0.00	0.00	0.00	0.00

STAHL COWEN CROWLEY ADDIS LLC
ATTORNEYS12th Floor
55 West Monroe Street
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Patriot Coal Retiree Committee

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05/01/2013
CLIENT NO: 34165-005M
STATEMENT NO: 701256

Drafting Pleadings/Litigation/Strategy

FEES

		HOURS	
04/02/2013	JDC Reviewed 363 Motion filed by Debtors and associated Declaration (1.80); follow up email questions to Debtors counsel regarding plans at issue (.20);	2.00	1,120.00
04/03/2013	JPK Review 363 motion and related correspondence.	1.25	443.75
04/04/2013	JKB Meeting and discussion w. JDC re: brief and drafting of arguments and analysis(1.10); begin pulling, organizing and reviewing relevant docs for Eastern Plan for brief (2.0); outline argument and discuss issues w/ JDC (1.9).	5.00	2,075.00
	JDC Continued drafting of response to Debtors 363 Motion.	3.00	1,680.00
04/05/2013	JKB Draft and revise arguments re: eastern plans.	2.00	830.00
	JDC Reviewed Exhibits cited in Motion for use in Response to Debtors 363 Motion (2.10); continued to draft Response (3.2)	5.30	2,968.00
	JPK Draft pro hac vice motion.	0.30	108.50
	JPK Draft portion of response brief.	1.75	621.25
04/06/2013	JKB Outline / draft EEAC arguments.	1.00	415.00
04/08/2013	JKB Draft and revise EEAC arguments.	6.00	2,490.00
	JPK Draft portion of response brief.	1.25	443.75
	JDC Continued to draft Response to Motion to Terminate Benefits (3.0); meeting with drafting team to go over Response progress and to assign new sections for briefing (.50); meeting with J. Kreger regarding format of section required for Response (.20); meeting with J. Burnett regarding EEAC section of Response (.20)	3.90	2,184.00
	GN Drafting opposition to debtors; motion to allow termination of Peabody legacy plans (5.80); team meeting re same (.50).	6.30	3,150.00

Patriot Coal Retiree Committee

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05/01/2013

CLIENT NO: 34165-005M

STATEMENT NO: 701256

Drafting Pleadings/Litigation/Strategy

			HOURS	
04/09/2013	JKB	Discuss arguments and issues w/ JDC (1.30); draft, review and revise arguments on various eastern plans from 58-04 (5.20).	6.50	2,697.50
	JPK	Conference with J. Cohen regarding portion of brief regarding Amherst Coal (.20); revise same (1.0).	1.20	426.00
04/10/2013	JKB	Correspondence w/ JDC re: brief and arguments (.30); discuss arguments and issues w/ PJL (.40).	0.70	290.50
	JDC	Continued to draft and revise Response to Motion to Terminate Benefits	4.00	2,240.00
	GN	Draft and finalize argument regarding Magnum plan; receipt and review of Arch coal video presentation re retirement plans in 1998.	4.60	2,300.00
04/11/2013	JKB	Correspondence w/ JDC and PJL re: response and arguments (.30); review EEAC issues (.50).	0.80	332.00
	JPK	Draft section of response to 363 Motion.	1.75	621.25
	JDC	Continued to draft and revise Response to Motion to Terminate Benefits.	5.20	2,912.00
04/12/2013	JKB	Correspondence w/ JDC re: arguments and general plan issues and language (.40); research caselaw re: arguments and interpretations under 8th Circuit law, create internal memo of same (1.10).	1.50	622.50
	JPK	Conference with J. Cohen regarding response brief; edit same.	0.75	266.25
	JDC	Continued to draft and revise Response to Motion to Terminate Benefits (5.80); started Motion for Leave to File Brief Beyond Page Limitations (.50)	6.30	3,528.00
04/14/2013	JDC	Continued to draft and modify Response to Motion to Terminate Benefits.	4.80	2,888.00
04/15/2013	JKB	Review and revise brief re: vesting / plans; correspondence w/ JDC re: same (5.0); review potential exhibits and documents from retirees for attachment (1.50)	6.50	2,697.50
	JDC	Continued drafting of Response to Motion to Terminate Benefits	3.90	2,184.00
04/16/2013	JKB	Discuss revisions and final adjustments to brief w/ JDC (.50); locate SPD / potential exhibits (1.0).	1.50	622.50
	JDC	Completed Annex (.10); completed Motion for Leave to File Brief In Excess of Page Limitations (.50); review of voluntary separation documents for brief		

Patriot Coal Retiree Committee

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05/01/2013

CLIENT NO: 34165-005M

STATEMENT NO: 701256

Drafting Pleadings/Litigation/Strategy

			HOURS	
		(.60); completed Response to Motion to Terminate Benefits (2.50); emails to local counsel regarding filing (.10); inquiry of Debtor with respect to certificate of service required on Response to Motion and forwarding of same to local counsel (.10)	3.30	1,848.00
04/18/2013	JKB	Correspondence w/ JDC re: settlement, strategy and status.	0.20	83.00
04/19/2013	JKB	Correspondence w/ JDC re: brief and arguments and potential use of documents and argument	1.20	498.00
04/20/2013	SNS	Telephone conference with J. Cohen regarding order.	0.25	123.75
04/22/2013	JKB	Discuss settlement and strategy w/ JDC.	1.00	415.00
	JDC	Prepared materials for Omnibus hearing appearance.	0.30	168.00
04/23/2013	JDC	Came to Court for pre-hearing meetings, and for entry of Order resolving Motion to Terminate Retiree Benefits (2.0)	2.00	1,120.00
			<u>97.30</u>	<u>47,211.00</u>

RECAPITULATION

<u>ATTORNEY</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JON D. COHEN	44.00	\$560.00	\$24,640.00
GREG NORROD	10.90	500.00	5,450.00
SCOTT N. SCHREIBER	0.25	495.00	123.75
JEREMY P. KREGER	8.25	355.00	2,928.75
JOHN K. BURNETT, III	33.90	415.00	14,068.50

TOTAL FEES & COSTS 47,211.00

PREVIOUS UNPAID BALANCE \$23,026.00

PAYMENTS

04/30/2013 Payment on account -18,266.96

PLEASE REMIT \$51,970.04

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Patriot Coal Retiree Committee

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Discovery

FEEES

			HOURS	
04/10/2013	JDC	Tel. conf. with S. Sokofsky regarding 2004 production; followed up with reviewed of 2004 materials produced by Peabody	1.75	980.00
04/11/2013	JDC	Tel. conf. with S. Pikosky regarding 2004 discovery materials (.30); followed up with review of materials forwarded by email (1.0)	1.30	728.00
04/16/2013	JDC	Started search and review of materials potentially required to be produced to Debtors in satisfaction of 3/21/13 discovery requests	4.00	2,240.00
04/17/2013	JDC	Continued search for and Identification of responsive discovery materials (1.50)	1.50	840.00
04/18/2013	JDC	Continue search for responsive materials out outstanding discovery requests.	0.80	448.00
			<u>9.35</u>	<u>5,236.00</u>

RECAPITULATION

<u>ATTORNEY</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JON D. COHEN	9.35	\$560.00	\$5,236.00

TOTAL FEES & COSTS 5,236.00

PREVIOUS UNPAID BALANCE \$8,764.00

PAYMENTS

04/30/2013 Payment on account -6,952.65

PLEASE REMIT \$7,047.35

PAST DUE AMOUNTS

<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
1,811.35	0.00	0.00	0.00	0.00	0.00

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Patriot Coal Retiree Committee

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Benefit Plan Investigations

FEES

		HOURS	
04/01/2013	JKB	Review, note, and analyze documents from 3 retirees, including various communications, plans and summaries (6.20); correspondence w/ JDC and P.J.L re: document production, review, analysis and coding (.40).	6.60 2,739.00
	PL	Review and Analysis of materials sent by retirees re: healthcare benefits, updating master summary document with analysis of debtors' materials.	3.70 370.00
	PL	Review and Analysis of materials sent by retirees re: healthcare benefits	1.70 170.00
	JDC	Reviewed materials send in by retirees and put analysis into database (1.0).	1.00 560.00
	GN	Reviewing and analyzing documents supplied by retirees.	3.70 1,850.00
04/02/2013	JKB	Review, note, analyze documents from debtor and 6 retirees, including various plans and summaries (6.50); discuss production and strategy w/ JDC (.20).	6.70 2,780.50
	JDC	Reviewed materials send in by retirees and put analysis into database (1.00); meeting with J. Burnett to modify database analysis going forward (.10); meeting with J. Kreger to modify database analysis going forward (.10);	1.30 728.00
	GN	Review and analyze documents supplied by J. Price; summarize same.	1.50 750.00
04/03/2013	JKB	Review, note, and analyze documents from 3 retirees, including various plans and summaries (2.80); review and discuss debtor brief w/ JDC, along with arguments and issues re: documents produced (1.0).	3.80 1,577.00
	PL	Review and analysis of retiree's materials from Debtor Company and subsidiaries re: health care plans and life insurance.	2.00 200.00
04/04/2013	JKB	Review, note, analyze documents from multiple retirees, including various plans and communications (1.20) and discuss production / plan w/ P.J.L and GN (.10).	1.30 539.50
	PL	Review and analysis of debtor's materials in support of Motion to	

Patriot Coal Retiree Committee

Benefit Plan Investigations

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			HOURS	
		Terminate Benefits to Salaried NON union employees re: health care plans and life insurance	2.00	200.00
	JPK	Review additional plan documents provided by retirees.	3.50	1,242.50
04/05/2013	PL	Review of Debtor's Motion to Terminate Benefits to non union salaried employees, and analysis of retiree's materials from Debtor Company and subsidiaries re: health care plans and life insurance,	1.90	190.00
	SAD	Review employee/retiree records and create chart of evidence.	4.00	1,680.00
04/08/2013	SAD	Review retiree documents.	0.60	252.00
	PL	Drafting response to Debtor's motion to terminate Eastern Associated Coal Corp. health care benefits for disabled employees and surviving spouses, (4.1hr) conference with J. Cohen, G. Norrod, Jack Burnett re: Debtor's arguments and analysis (.4hr)	4.50	450.00
04/09/2013	PL	Benefit plan investigation, review and analysis of retirees' materials, (2.0hr); Drafting response to Debtor's motion to terminate Catastrophic Group health plans for salaried employees terminated through a reduction in work force.(1.0hr)	3.00	300.00
	JPK	Review additional plan documents provided by retirees.	2.25	798.75
	JDC	Reviewed first 2004 production from Peabody (1.0)	1.00	560.00
04/10/2013	PL	Benefit plan investigation, review and analysis of retirees' materials, (2.5hr); Drafting response to Debtor's motion to terminate Catastrophic Group health plans for salaried employees terminated through a reduction in work force. (1.5hr)	4.00	400.00
04/11/2013	PL	Benefit plan investigation, review and analysis of retirees' materials.	2.90	290.00
04/15/2013	PL	Drafting brief in support of Retiree's argument of vesting benefits; analysis of and compilation of exhibits in support of brief.	3.30	330.00
04/16/2013	JKB	Review, note and organize documents, plans and communications from various retirees re: benefits and vesting.	4.20	1,743.00
04/17/2013	JPK	Review additional documents provided by retirees.	1.50	532.50
	JKB	Review, note and categorize retiree documents, plans, communications and		

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Benefit Plan Investigations

		HOURS	
memos re: benefits.		3.30	1,369.50
04/18/2013	JKB Review, note and categorize documents, plans and communications from various retirees and spouses.	4.30	1,784.50
04/19/2013	JKB Review and note retiree documents, plans and correspondence received from numerous retirees re: potential use in supplement / argument.	2.30	954.50
04/22/2013	JKB Review, note, and organize original plans, memos, and other documents from various retirees per discussion w/ JDC and return of same per retiree requests.	2.00	830.00
04/23/2013	JKB Review and organize original files from Retirees re: plans and return of same.	2.00	830.00
		<u>85.85</u>	<u>27,001.25</u>

RECAPITULATION

<u>ATTORNEY</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JON D. COHEN	3.30	\$560.00	\$1,848.00
GREG NORROD	5.20	500.00	2,600.00
JEREMY P. KREGER	7.25	355.00	2,573.75
SHELLY DEROUSSE	4.60	420.00	1,932.00
PAMELA LEICHTLING	29.00	100.00	2,900.00
JOHN K. BURNETT, III	36.50	415.00	15,147.50

TOTAL FEES & COSTS 27,001.25

PREVIOUS UNPAID BALANCE \$85,059.00

PAYMENTS

04/30/2013 Payment on account -67,478.91

PLEASE REMIT \$44,581.34

PAST DUE AMOUNTS

<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
17,580.09	0.00	0.00	0.00	0.00	0.00

PLEASE NOTE CLIENT AND STATEMENT NUMBER WITH PAYMENT.

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Patriot Coal Retiree Committee

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Negotiations

FEES

			HOURS	
04/04/2013	JDC	Communications with J. Agostinho regarding interpretation of certain benefit information in 363 Motion (.20); email to same regarding Pre-March 1990 plans (.10); email to J. Agostinho regarding scope of relief sought (.10);	0.40	224.00
04/09/2013	JDC	Tel. conf. with Debtors' counsel regarding possible settlement (.30);	0.50	280.00
04/10/2013	JDC	Email to M. McGreal regarding EACC plan question (0.10).	0.10	56.00
04/12/2013	JDC	Communications with B. Resnick regarding settlement (.20); follow up email from same regarding specifics on claim amount (.10);	0.30	168.00
04/15/2013	JDC	Tel. conf. with Debtors' counsel regarding COBRA issues (.30); tel. conf. with Debtors counsel regarding OPEB numbers and settlement dynamics (.20); emails with J. Agostinho requesting clarification of OPEB numbers (.20); tel. conf. with J. Agostinho regarding same (0.10)	0.80	448.00
04/16/2013	JDC	Email to B. Resnick to provide advanced draft copy of Response to Motion (.10); Tel. conf. call with Debtors' counsel regarding settlement (.20); follow up conf. with B. Resnick regarding settlement (.20)	0.50	280.00
04/17/2013	JDC	Multiple telephone conferences with Liz Wills regarding settlement negotiations (.5); multiple telephone conferences with Debtor's legal counsel regarding settlement negotiations (.70); drafted updated analysis to Retiree Committee (.5)	1.70	952.00
04/18/2013	JDC	Tel. conf. with B. Resnick regarding settlement (.20); followed up with another call with B. Resnick regarding same (.10); tel. conf. with R. Aizin regarding COBRA issues and VEBA issues (.40); followed up with email to R. Aizen in response to request for VEBA research toward settlement issues (.20); email to B. Resnick regarding settlement terms;	0.90	504.00
04/19/2013	JDC	Tel. conf. with M. McGreal (.20); follow up conf. with same (.10); telephone conferences with B. Resnick toward reaching settlement terms (2.0)	2.30	1,288.00
04/20/2013	JDC	Review and response to email from M. McGreal regarding settlement terms		

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Negotiations

			HOURS	
		(.10); review and response to follow up email. (.10); reviewed third proposed modification (.10); updated to local counsel regarding settlement status (.10)	0.30	168.00
04/21/2013	JDC	Reviewed additional comments on draft order sent by M. McGreal and response thereto. (.10)	0.10	56.00
04/22/2013	JDC	Reviewed and responded to email from Debtors regarding proposed change to agreed Order	0.10	56.00
04/24/2013	JDC	Tel. conf. with Debtors' counsel regarding letter sought to be sent by Retiree Committee to Affected Retirees.	0.20	112.00
04/25/2013	JDC	Tel. conf. with Debtors' counsel regarding delay in mailing to affected retirees.	0.10	56.00
04/29/2013	JDC	Email to J. Agostinho regarding outstanding actuarial payment information (.10)	0.10	56.00
			8.40	4,704.00

<u>ATTORNEY</u>	<u>RECAPITULATION</u>		<u>TOTAL</u>
	<u>HOURS</u>	<u>RATE</u>	
JON D. COHEN	8.40	\$560.00	\$4,704.00

TOTAL FEES & COSTS 4,704.00

PREVIOUS UNPAID BALANCE \$4,872.00

PAYMENTS

04/30/2013 Payment on account -3,865.05

PLEASE REMIT \$5,710.95

<u>PAST DUE AMOUNTS</u>					
<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
1,006.95	0.00	0.00	0.00	0.00	0.00

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Patriot Coal Retiree Committee

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Retention/Fee Applications

FEES

			<u>HOURS</u>	
04/01/2013	JDC	Worked on invoices to comply with local billing requirements for applications (.50).	0.50	280.00
04/05/2013	JDC	Made final revisions to First, Second and Third Monthly Fee applications and forwarded to local counsel for filing.	0.50	280.00
04/20/2013	JDC	Drafted Retention Order for SCCA application and forwarded same to Debtors for comment (1.0); drafted certificate of no objection (.30)	1.30	728.00
04/21/2013	JDC	Email to T. Riske regarding Order granting retention.	0.10	56.00
			<u>2.40</u>	<u>1,344.00</u>

RECAPITULATION

<u>ATTORNEY</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JON D. COHEN	2.40	\$560.00	\$1,344.00

TOTAL FEES & COSTS	1,344.00
PREVIOUS UNPAID BALANCE	\$3,528.00

PAYMENTS

04/30/2013	Payment on account	-2,798.83
PLEASE REMIT		<u>\$2,073.17</u>

PAST DUE AMOUNTS

<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
729.17	0.00	0.00	0.00	0.00	0.00

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Expenses

FEEES

		HOURS	
04/22/2013	JDC Travel from Chicago to St. Louis.	5.00	2,800.00
04/23/2013	JDC Return travel from St. Louis to Chicago	5.00	2,800.00
		<u>10.00</u>	<u>5,600.00</u>

<u>ATTORNEY</u>	<u>RECAPITULATION</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JON D. COHEN		10.00	\$560.00	\$5,600.00

- (2,800.00) Discount

COSTS

03/19/2013	Real Docs/SEC filings for Patriot Spin Off	67.00
04/05/2013	Website hosting for Retiree Site	8.99
04/22/2013	JDC Meal- Airport	4.42
04/22/2013	Airfare and Hotel package for JDC from Chicago to St. Louis (4/22-23)	424.63
04/22/2013	Cab from Chicago to O'Hare	50.00
04/22/2013	Cab from St. Louis Airport to Hotel	50.00
04/22/2013	JDC- Hotel Meal (discounted down)	30.00
04/23/2013	JDC Meal- Airport	20.00
04/23/2013	Train from St. Louis to Airport	3.00
04/23/2013	Cab from O'Hare to Deerfield	70.00
		<u>728.04</u>

TOTAL FEES & COSTS

PREVIOUS UNPAID BALANCE

6,328.04
~~(2,306.00)~~
\$8,627.60

PAYMENTS

04/30/2013	Payment on account	-1,657.53
04/30/2013	Payment on account	-910.07
04/30/2013	Payment on account	-4,886.84
	TOTAL PAYMENTS	<u>-7,354.44</u>

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VEBA/Benefits Organization

FEEES

			HOURS	
04/18/2013	JDC	Research for investigation of using HRA for life insurance per requested by Committee (1.0); research regarding application of expected settlement monies for HRA and projected overhead estimates (1.10).	<u>2.10</u>	<u>1,176.00</u>
			2.10	1,176.00

RECAPITULATION

<u>ATTORNEY</u>	<u>HOURS</u>	<u>RATE</u>	<u>TOTAL</u>
JON D. COHEN	2.10	\$560.00	\$1,176.00

TOTAL FEES & COSTS **1,176.00**

PLEASE REMIT **\$1,176.00**

PLEASE NOTE CLIENT AND STATEMENT NUMBER WITH PAYMENT.

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Patriot Coal Retiree Committee

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	PREVIOUS BALAN	FEES	EXPENSES	PAYMENTS	NEW BALANCE
Case Administration	8,313.00	112.00	25.00	-6,594.86	\$1,855.14
Communication Committee	13,854.00	10,192.00	0.00	-10,990.64	\$13,055.36
Communications/Retirees	14,280.50	672.00	0.00	-11,313.12	\$3,619.38
Research	18,000.75	1,680.00	0.00	-14,329.94	\$5,350.81
Drafting Pleadings/Litigation/Strategy	23,026.00	47,211.00	0.00	-18,266.96	\$51,970.04
Discovery	8,764.00	5,236.00	0.00	-6,952.65	\$7,047.35
Benefit Plan Investigations	85,059.00	27,001.25	0.00	-67,478.91	\$44,581.34
Negotiations	4,872.00	4,704.00	0.00	-3,865.05	\$5,710.95
Retention/Fee Applications	3,528.00	1,344.00	0.00	-2,798.83	\$2,073.17
Expenses	8,627.60	5,600.00	728.04	-7,354.44	\$7,601.20
VEBA/Benefits Organization	0.00	1,176.00	0.00	0.00	\$1,176.00
	<u>188,304.85</u>	<u>104,928.25</u>	<u>753.04</u>	<u>-149,945.40</u>	<u>\$144,040.74</u>